

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F041678 People v. Ramirez

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F042739 Calaveras Materials, Inc. v. Construction Development Systems, et al.

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F042636 People v. Minniweather

No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F041810 S.C. Anderson, Inc. v. Computer Contact Service

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F042079 In re Art A. et al., Minors

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042079 In re Art A. et al., Minors

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F038205 People v. Padilla et al.

F038295 People v. Gutierrez

F038296 People v. Khattiyavong

The judgments of conviction are affirmed. With regard to defendants' sentences, the three-year great bodily injury enhancements attached to count 2 are ordered stricken and the firearm use enhancements attached to count 9 are modified to twenty years' imprisonment. The sentences are unchanged in all other respects. The superior court clerk is directed to prepare abstracts of judgment accordingly and to and transmit them to the Department of Corrections and other appropriate agencies. Buckley, J.

We concur: Dibiaso, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040888 People v. Jackson

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F042312 In re Christopher D., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042312 In re Christopher D., a Minor

The court's finding that reasonable services were provided for four of the six months in the review period is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F039972 People v. Restaino

The judgment is reversed and cause remand to the trial court with directions to grant the motion to suppress and to allow appellant to withdraw his plea and admissions and for further proceedings as appropriate. (People v. Ruggles (1985) 39 Cal.3d 1, 13; People v. Rios (1976) 16 Cal.3d 351, 359.). Ardaiz, P.J.

We concur: Dibiaso, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039671 Moosios Farms, Inc. v. Western Goldfish Growers, Inc. et al.
F039793 Moosios Farms, Inc. v. Western Goldfish Growers, Inc. et al

The judgment filed October 25, 2001, and the posttrial orders awarding attorney fees to Ashley and to Galbreath are affirmed. Respondents are awarded costs on appeal. Gomes, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039991 Edwards v. Earl Scheib, Inc. of California

The portion of the judgment awarding appellant \$476.54 and finding that appellant was an exempt employee is affirmed. The denial of the Labor Commissioner's Decision and Award with respect to the cash shortage deductions from appellant's wages and the waiting time penalties is reversed. The matter is remanded to the trial court for further proceedings consistent with this opinion. Each party to bear its own costs on appeal. Levy, J.

We concur: Vartabedian, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041482 People v. Moniz

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

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F041482 People v. Moniz

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042732 People v. Fabiano

No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F040068 People v. Davis

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F040068 People v. Davis

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041052 People v. Gallardo

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041052 People v. Gallardo

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039760 People v. Alvarado

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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IN AND FOR THE

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F041434 In re Calvin F., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041434 In re Calvin F., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]